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Housing Committee public hearing -- February 3, 2015

H.B. 5356 -- Landlord liability for relocation assistance **DEPENDS ON ACTUAL WORDING**

Relocation assistance is an obligation of the state and towns, not of property owners. It is required only when a property owner or a tenant is ordered to vacate because of state or municipal government action, such as condemning a building and ordering the occupants to vacate. A landlord is liable to reimburse the government agency only if the order resulted from the landlord's violation of his responsibilities under C.G.S. 47a-7 (i.e., the landlord's failure to maintain the property).

To the extent that this bill clarifies that limit on landlord liability, we have no objection to the bill. We also do not object to the portion of the bill that limits the landlord's duty to reimburse the enforcing agency to 14 days' relocation expenses. However, **we would OPPOSE this bill if it is intended to reduce the duties of MUNICIPALITIES under the Relocation Assistance Act**, which is a separate issue from the extent to which a municipality can recoup its costs from a landlord. The need to protect the health and safety of occupants and their children should not depend on landlord fault or be limited to any particular number of days.

H.B. 5490 -- Relocation assistance after a natural disaster **OPPOSE AS DRAFTED**

As drafted, this bill would eliminate relocation assistance for renters who are ordered to vacate by a municipality as the result of a natural disaster, such as a hurricane or a flood. This would apparently leave them without displacement assistance at a time of crisis not of their own making. It is neither safe nor reasonable for a municipality which orders occupants to vacate to leave them solely to their own resources (which may be negligible) at a time of crisis. **We therefore OPPOSE the bill as drafted**. We have, however, been told by the bill's sponsor that its purpose is to interrelate relocation assistance with costs covered by insurance. If that is its purpose, we need to see the actual wording to be able to determine that relocation assistance will be available at the time it is needed, i.e., at the time of the crisis. Perhaps the bill could address reimbursement to the municipality from any such insurance.

H.B. 5583 and S.B. 170 – State Elderly/Disabled public housing **OPPOSE**

H.B. 5583 would restrict State Elderly/Disabled public housing to seniors only. S.B. 170 caps the number of disabled persons in such housing at 14%. The state public housing program for the elderly has, almost from its 1959 inception, included persons certified as totally disabled by Social Security or the Veterans Administration. Such persons with

disabilities were added in 1961. Expanding senior housing opportunities by reducing those available to persons with disabilities is the wrong solution to meeting the needs of seniors. In addition, it does not appear to be a legal solution in Connecticut, since discrimination against persons with disabilities is prohibited not only by the state Fair Housing Act but also by the Connecticut Constitution itself. The real solution is to increase housing opportunities for both groups. In addition, to the extent that seniors and persons with disabilities share the same housing complex, it is important to support and expand the existing Resident Services Coordinator program, which helps to coordinate services and resolve conflicts for the benefit of both seniors and persons with disabilities.

S.B. 409, H.B. 6141, and H.B. 6144 -- Senior housing opportunities **DEPENDS ON ACTUAL WORDING**

These three bills propose to expand housing opportunities for seniors. No one would oppose that proposal. We suspect, however, that the substance of these bills is actually the same as H.B. 5583 and S.B. 170. If that is the case, then we would oppose them for the same reasons. The way to expand housing opportunities for seniors should not be by reducing housing opportunities for persons with disabilities.

H.B. 6133 – First-time fair housing offenders **OPPOSE**

H.B. 6133 would allow persons to avoid CHRO sanctions for housing discrimination if they are "first time offenders." While we understand the issue that the bill is attempting to address – potentially serious sanctions against unsophisticated landlords who do not understand the fair housing laws – we believe that the proposed solution is not workable (there is no way to define and identify "understandable" ignorance of the law); would legitimize illegal discrimination; would discourage voluntary compliance and the expansion of landlord education; and would invite the belief that it is OK to discriminate until you are caught. The relatively less familiar forms of housing discrimination (e.g., discrimination based on source of income or the duty to reasonably accommodate persons with disabilities) have in fact been in place for a quarter of a century; and other forms of discrimination (e.g., race or religion) have been illegal for far longer. The proper way to address the issue is not by exempting violators from sanctions but rather by promoting and expanding landlord education programs, with state funding if necessary. Such education can be channeled not only through state agencies but also through property owner associations and fair housing groups. Property owner associations in particular may be an effective way to reach small landlords. Much such education already goes on, and it would make good sense to look for non-statutory ways to expand it.

S.B. 405 and H.B. 6142 – Security deposits in State Elderly/Disabled public housing **OPPOSE**

C.G.S. 47a-22a requires housing authorities that operate State Elderly/Disabled housing to return any required security deposit after one year. S.B. 405 and H.B. 6142 would allow senior or disabled renters to "retain their security deposit" for the entire tenancy. Although the bill is framed as a voluntary action by the senior renter, it is hard to imagine that this would become anything but a pro forma checkoff to allow the housing authority to continue to hold the deposit. The bill therefore appears to be a functional repeal of the statute itself. We think that it would be better to leave the statute intact.